

Christopher J. Hamner, Esq. (SBN 197117)  
**HAMNER LAW OFFICES, APLC**  
5023 Parkway Calabasas  
Calabasas, California 91302  
Telephone: (818) 876-9631  
chamner@hamnerlaw.com

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RICARDO DEL RIO, an individual  
California resident; JOSE VALDIVIA,  
an individual California resident; JOSE  
PEREIRA, an individual California  
resident.

Plaintiffs

vs.

UBER TECHNOLOGIES, INC., a  
Delaware corporation, RASIER-CA,  
LLC, a Delaware Limited Liability  
Company, and DOES 1 through 10,  
inclusive,

Defendants.

Case No. 3:15-cv-03667-EMC  
*(Assigned to Judge Edward M. Chen)*

**STIPULATION FOR VOLUNTARY  
DISMISSAL PER RULE 41(a)(2);  
~~[PROPOSED]~~ ORDER**

**JOINT STIPULATION**

Plaintiffs Ricardo Del Rio, Jose Valdivia, and Jose Pereira (collectively “Plaintiffs”) and Defendants Uber Technologies, Inc., Raiser, LLC, and Raiser-CA, LLC, (collectively “Uber”) by and through their respective counsel of record hereby submit this joint stipulation for dismissal and request an order from the Court dismissing the above captioned case with prejudice.

WHEREAS, on August 11, 2015, Plaintiff Del Rio filed a proposed class action against Defendants Uber Technologies, Inc., Raiser, LLC and Raiser-CA, LLC, in the United States District Court, Northern District of California, Case No. 3:15-CV-03667-EMC (“Complaint”) alleging claims for (1) Failure to Pay Overtime Wages, (2) Failure to Pay Minimum Wage, (3) Violation of Labor Code § 2699, (4) Failure to Provide Itemized Wage Statements, (5) Reimbursement of Expense, (6) Failure to Provide Meal Periods, and (7) Failure to Provide Rest Periods;

WHEREAS, on October 14, 2015, Defendants filed a motion to compel Plaintiff Del Rio to arbitrate his claims on an individual basis and to dismiss his class claims, and the Court denied Defendants’ motion on December 16, 2015;

WHEREAS, on December 18, 2015, Defendants filed a notice of appeal of this Court’s order denying Uber’s motion to compel arbitration;

1 WHEREAS, on January 27, 2016, the United States Court of Appeals for the  
2 Ninth Circuit consolidated the appeal in this matter with the appeals from the  
3 denial of arbitration in *O'Connor et al. v. Uber Technologies, Inc.*, No. 15-17420  
4 and *Yucesoy v. Uber Technologies, Inc.*, No. 15-17422 (collectively the  
5 “Consolidated Appeals”);  
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7  
8 WHEREAS, on April 27, 2016, Plaintiff Del Rio filed a Second Amended  
9 Complaint adding Jose Valdivia and Jose Pereira as named Plaintiffs in this action;  
10

11 WHEREAS, on September 25, 2018, the United States Court of Appeals for  
12 the Ninth Circuit issued its opinion in the Consolidated Appeals, reversing this  
13 Court’s order denying Defendants’ motion to compel arbitration;  
14

15 WHEREAS, on April 11, 2019, the Parties stipulated and agreed that  
16 Plaintiffs Del Rio, Valdivia, and Pereira would pursue their claims in binding  
17 individual arbitrations and that this matter would be stayed pending arbitration;  
18

19 WHEREAS, the proposed classes are not certified in this matter, no motion  
20 for certification has been made or is pending, and no class claims remain in this  
21 matter in light of the Ninth Circuit’s order compelling individual arbitration;  
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23 WHEREAS, the Parties have settled their claims on an individual basis; and

24 WHEREAS, after conferences between the Parties, the Parties have mutually  
25 agreed to dismiss Plaintiffs’ complaint in this matter, with prejudice.  
26  
27  
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1 **THEREFORE, IT IS HEREBY STIPULATED** by and between Plaintiffs and  
2 Defendants, through their respective counsel, as follows:  
3

- 4 1. Plaintiffs hereby dismiss the above-captioned matter and all causes  
5 of action therein with prejudice; and  
6  
7 2. The Parties agree to bear their own costs.

8 **IT IS SO STIPULATED.**

9 **DATED:** September 6, 2019

**HAMNER LAW OFFICES, APLC**

11 

12 By: Christopher J. Hamner, Esq.  
13 Counsel for Plaintiffs, RICARDO DEL RIO  
14 and TONY MEHRDAD SAGHEBIAN on  
15 behalf of themselves and all others similarly  
16 situated

17  
18 **DATED:** August 6, 2019

**LITTLER MENDELSON, P.C.**

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20 

21  
22 By: Sophia Behnia  
23 Counsel for Defendants, Uber Technologies,  
24 Inc.; Raiser, LLC; Raiser-CA, LL  
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**~~PROPOSED~~ ORDER**

Upon considering the Parties' Joint Stipulation of Dismissal, IT IS  
HEREBY ORDERED THAT:

1. Plaintiffs hereby dismiss the above-captioned matter and all causes  
of action therein with prejudice; and
2. The Parties agree to bear their own costs.

**IT IS SO ORDERED.**

Dated: 9/9/2019

  
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Judge Edward M. Chen